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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,896	08/04/2003	Jen-Show Chang	MR2049-346	2874
4586	7590	04/05/2005	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			SWENSON, BRIAN L	
			ART UNIT	PAPER NUMBER
			3618	

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/632,896

Applicant(s)

CHANG, JEN-SHOW

Examiner

Brian Swenson

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. Figures 9 and 10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: (22; Figure 6). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,552,972 issued to Rezvani in view of U.S. Patent No. 6,621,419 issued to Chiu.

Rezvani in Figures 1-5 and respective portions of the specification teaches of a illumination device for a wheel that can be used on a skateboard (see at least Col. 1, lines 46-47) a shaft (16) connected to the underside of the wheeled vehicle, the shaft including a disk (24) including a conductive ring (32), the shaft containing a wheel (20) connected thereto, each wheel including a central tube (45) on which a bearing (28,30) and a magnetic ring (32) are mounted thereto, the wheel disposed on the shaft by the central tube, a conductive circular casing (36) having a plurality of LEDs (22; Col. 4, line 24-25) connected to an outer periphery thereof and an inner ring located in the circular casing, a coil (44) mounted to the inner ring and being rotatable relative to the magnetic ring, two legs (see element 54; Figure 5) extending from each of the LEDs and electrically connected to the conductive ring on the disk

Rezvani does not show a board portion with a front and shaft connected to the underside of the board.

Chiu teaches in Figures 1-8 and respective portions of the specification of a skateboard with a board portion (1) and a front shaft (2) and a rear shaft (unlabeled shown in Figure 2) respectively connected to an underside of the board portion, each of the front shaft and the rear shaft including two disks (3) and each disk including a conductive ring (33), each of the front shaft and the rear shaft having two wheels (4) connected thereto. It would have been obvious to one having ordinary skill in the art at the time of invention to use the LED wheel, as taught by Rezvani, on a skateboard taught by Chiu. Using the wheel on a skateboard, as taught by Chiu, would to be in accord with Rezvani's teaching that the wheel is for use with skateboards, Col. 1, lines 47-48.

In regards to claims 2, Chiu shows in Figure 5 the board portion (1) includes a plurality of recesses defined in a periphery thereof and shows an illumination tube (Figures 2, 5, 7 and 8) and each recess has an LED received therein, a plurality of grooves (Figure 5) defined in the board portion and wires extending (Figure 8) from the conductive rings being received in the grooves and connected to the LEDs in the recesses. It would have been obvious to one having ordinary skill in the art at the time of invention to provide the LEDs on the outer periphery, as taught by Chiu in the invention taught by Rezvani. One would be motivated to provide LEDs on the out periphery to provide further LEDs increasing the visibility of the skateboard further increasing the safety of the vehicle.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 4,997,196 issued to Wood, U.S. Patent No. 5,833,348 issued to Bailey, Jr., U.S. Patent No. 5,873,600 issued to Conway, U.S. Patent No. 6,530,581 issued to Lai, U.S. Patent No. 6,619,823 issued to Dai, U.S. Patent No. 6,851,817 issued to Wong, U.S. Patent No. 6,501,199 issued to Hung, U.S. Patent No. 6,398,395 issued to Hyun, U.S. Patent No. 5,810,450 issued to Tsu et al., U.S. Patent No. 5,718,499 issued to De Caro, U.S. Patent No. 5,580,093 issued to Conway, U.S. Patent No. 4,648,610 issued to Hegyi and U.S. Patent No. 4,363,502 issued to Bakerman all teach of other various lighting devices for skate vehicles.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Swenson whose telephone number is (703) 305-8163 after April 5<sup>th</sup> the examiner can be reached at (571) 272-6699. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on (703) 305-0168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BS 3/29/05

bls

Brian Swenson  
Examiner  
Art Unit 3618

CP EWS

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